



MEMORANDUM

TO: Members, Board of Directors
American Civil Liberties Union - National

FROM: American Civil Liberties Union - Southern
California
R. Samuel Paz, President
Joyce Fiske, Committee on National Legislation
Ramona Ripston, Executive Director

DATE: August 14, 1984

RE: Proposed Policy of ACLU-Southern California
on CIA-FOIA Bill - H. R. 5164

AMERICAN
CIVIL LIBERTIES UNION
OF SOUTHERN CALIFORNIA
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The enclosed memorandum is presented in support of the position of ACLU-Southern California in opposition to H.R. 5164, and in response to the memorandum from Mort Halperin to Ira Glasser, dated June 15, 1984, on the subject of "Southern California's Questions on H.R. 5164." Enclosed as well, for your convenience, are copies of the following:

1. Letter from ACLU-Southern California signed by Ramona Ripston and Samuel Paz to ACLU affiliates and national board members (6/11/84);
2. Memorandum, Halperin to Glasser (6/15/84);
3. Memorandum, Glasser to ACLU affiliates and national board members (6/18/84);
4. ACLU-Northern California letter signed by Richard Criley to Glasser (6/19/84).

The ACLU-Southern California policy on H.R. 5164 is as follows:

The American Civil Liberties Union of Southern California opposes enactment of H.R. 5164 and S.B. 1324. The proper solution for the backlog of FOIA-CIA requests is not increased exemptions, but rather is found in additional FOIA staffing and

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stronger judicial review of obstructive conduct. Any bill which seemingly reduces review, or hampers its implementation, increases the risk of abuse by the CIA.

In June 1984, the national board passed a resolution to the effect that the national staff, in supporting H.R. 5164, acted in conformity with existing national ACLU policy.

In July 1984, the Board of Directors of ACLU-Southern California urged the national board to examine the substance of our policy difference. We do not feel that the motion the national board considered in June gave a fair hearing to our point of view.

If we are to be bound by policy #527, there should be a full hearing on the merits of our position, as that policy requires. We have not had that. Certainly, simple due process demands it.

While the Committee on Government Operations has sent the bill to the full House of Representatives, it is unlikely that there will be time to have the House vote and the Conference Committee reconcile the differences before Congress adjourns on October 4th.

We, therefore, ask that you schedule a full hearing on the merits of the bill at the October meeting of the Board of Directors.

We would like to point out that a number of other organizations besides the ACLU-SC and the ACLU-NC oppose the bill. The list includes: the American Newspaper Guild, the Radio TV News Directors' Association, the Society of Professional Journalists, the Organization of American Historians, National Committee Against Repressive Legislation (NCARL) and the Fund for Open Information and Accountability, Inc.

In keeping with policy #527, the ACLU-SC will not lobby for our position in Congress although individuals in a personal capacity may express their opinions to their representatives.

In the interest of fairness we trust that this matter will be placed on the October agenda of the Board of Directors.

enclosures

cc: Members, Board of Directors of ACLU-Southern California
Ira Glasser, Executive Director of ACLU (National)
Mort Halperin, Executive Director of National Security Project
ACLU Affiliate Chairs and Executive Directors